

**REMARKS**

This Amendment and Response to Final Office Action is being submitted in response to the final Office Action mailed February 1, 2007.

The Drawings are objected to under 37 CFR 1.83(a) as not showing every feature of the invention specified in the Claims.

Claims 26-28 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Claims 1-8, 14, 23, 25, 30, and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Medin et al. (US 6,542,660). Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Medin et al.

Claims 11-13, 15-22, and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 25, 29, and 32-35 are allowed.

In response to these rejections, Claims 1, 12, 26-28, and 31 have been amended to further clarify the subject matter which Applicants regard as the invention and Claim 11 has been canceled, without prejudice or disclaimer to continued examination on the merits. These amendments are fully supported in the Specification, Drawings, and Claims of the Application and no new matter has been added. Based upon the amendments and the arguments presented herein, reconsideration of the Application is respectfully requested, without further search.

**Objection to the Drawings Under 37 CFR 1.83(a):**

The Drawings are objected to under 37 CFR 1.83(a) as not showing every feature of the invention specified in the Claims. Specifically, Examiner requires that the "connection

elements...” recited in Claim 26 (as well as Claims 27 and 28) either be shown in the Drawings or the feature(s) be canceled from the Claims.

The “connection elements...” recited in Claims 26-28 have been deleted and replaced with “connections...,” which are clearly shown as the arrow lines connecting the various add-out, drop-in, add-in, and drop-out ports in at least FIG. 10. Thus, replacement Drawings are not required at this time.

Therefore, Applicants submit that the objection to the Drawings under 37 CFR 1.83(a) as not showing every feature of the invention specified in the Claims has now been traversed and respectfully request that this objection be withdrawn.

**Rejection of Claims 26-28 Under 35 U.S.C. 112, First Paragraph:**

Claims 26-28 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Specifically, Examiner indicates that the “connection elements...” recited in Claim 26 (as well as Claims 27 and 28) are not described in the Specification in such a way as to enable one skilled in the art to which the invention pertains, or with which it is most nearly connected, to make and/or use the invention. Examiner indicates that no related structure or circuit diagram is provided.

As described above, the “connection elements...” recited in Claims 26-28 have been deleted and replaced with “connections...,” which are clearly shown as the arrow lines connecting the various add-out, drop-in, add-in, and drop-out ports in at least FIG. 10. Applicants submit that no related structure or circuit diagram is required to teach one skilled in the art where or how to make simple connections between ports.

Therefore, Applicants submit that the rejection of Claims 26-28 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement has now been traversed and respectfully request that this rejection be withdrawn.

Therefore, at least Claims 25-29 and 32-35 are now allowable.

**Rejection of Claims 1-8, 14, 23, 25, 30, and 31 Under 35 U.S.C. 102(e) - Medin et al.:**

Claims 1-8, 14, 23, 25, 30, and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Medin et al.

Remaining independent Claims 1, 23, and 31 have been amended to recite the objected to, but otherwise allowable, elements/limitations of dependent Claim 11. For example, Claim 1 has been amended to recite:

1. A node comprising:
  - a series connection of elements  $E_i$ ,  $i=1, 2, \dots N$ , where  $N$  is greater than 1, forming a first optical path, where each of said elements  $E_i$  injects an optical signal of band  $\Lambda_i$ , and where  $\Lambda_i$  is disjoint from  $\Lambda_j$  for all  $i \neq j$ ;
  - a series connection of elements  $F_i$ ,  $i=1, 2, \dots N$ , forming a second optical path, where each of said elements  $F_i$  extracts an optical signal of band  $\Lambda_i$ ;
  - a plurality of transmitters  $T_i$ ,  $i=1, 2, \dots N$ , coupled to said elements  $E_i$  on a one to one basis; and
  - a plurality of receivers  $R_i$ ,  $i=1, 2, \dots N$ , coupled to said elements  $F_i$  on a one to one basis;
  - wherein a collection of elements that includes element  $E_i$ , element  $F_i$ , transmitter  $T_i$ , and receiver  $R_i$  are housed in a single equipment module  $M_i$ , resulting in said node comprising a serially interconnected set of modules  $M_i$ ,  $i=1, 2, \dots N$ , with said interconnected set having
    - an add-in node input port that is connected to module  $M_1$ ,
    - a drop-out node output port that is connected to module  $M_1$ ,
    - an add-in node output port that is connected to module  $M_N$ , and
    - a drop-out node input port that is connected to module  $M_N$ .

Therefore, Applicants submit that the rejection of Claims 1-8, 14, 23, 25, 30, and 31 under 35 U.S.C. 102(e) as being anticipated by Medin et al. has now been traversed and respectfully request that this rejection be withdrawn.

Therefore, at least Claims 1-8 and 12-35 are now allowable, Claim 11 having been canceled.

**Rejection of Claims 9 and 10 Under 35 U.S.C. 103(a) - Medin et al.:**

Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Medin et al.

The above arguments apply with equal force here.

Therefore, Applicants submit that the rejection of Claims 9 and 10 under 35 U.S.C. 103(a) as being unpatentable over Medin et al. has now been traversed and respectfully request that this rejection be withdrawn.

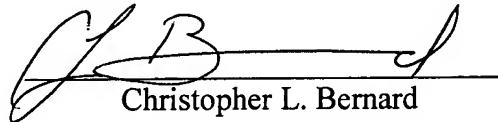
Therefore, at least Claims 1-10 and 12-35 are now allowable, Claim 11 having been canceled.

**CONCLUSION**

Applicants would like to thank Examiner for the attention and consideration accorded the present Application. Should Examiner determine that any further action is necessary to place the Application in condition for allowance, Examiner is encouraged to contact undersigned Counsel at the telephone number, facsimile number, address, or email address provided below. It is not believed that any fees for additional claims, extensions of time, or the like are required beyond those that may otherwise be indicated in the documents accompanying this paper. However, if such additional fees are required, Examiner is encouraged to notify undersigned Counsel at Examiner's earliest convenience.

Respectfully submitted,

Date: April 2, 2007



Christopher L. Bernard  
Registration No.: 48,234

Attorney for Applicants

**CLEMENTS | WALKER**  
1901 Roxborough Road, Suite 300  
Charlotte, North Carolina 28211 USA  
Telephone: 704.366.6642  
Facsimile: 704.366.9744  
[cbernard@worldpatents.com](mailto:cbernard@worldpatents.com)